

APPROVED: Meeting No. 35-87

ATTEST:

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 09-87

February 23, 1987

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on Monday, February 23, 1987, at 8:00 p.m.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams

Councilman Jim Coyle

Councilman Douglas Duncan

Councilman Peter Hartogensis

In attendance: City Manager Richard V. Robinson, City Clerk Carol A. Kachadoorian, and City Attorney Paul T. Glasgow.

Re: Invocation

The invocation was provided by Rev. John King of the Rockville Church of Christ.

Re: City Manager's Report

The City Manager reported the following:

1. Broadcast of the public forum held on Police Services in the City on February 18, 1987, will be at the following times:

Tuesday, February 24, 1987, 7:00 p.m. - 11:15 p.m.
Thursday, February 26, 1987, 9:00 a.m. - 1:15 p.m.
Saturday, February 28, 1987, 3:00 p.m. - 7:15 p.m.
Monday, March 2, 1987, 9:00 a.m. - 1:15 p.m.
Wednesday, March 4, 1987, 7:00 p.m. - 11:15 p.m.
Thursday, March 5, 1987, 7:00 p.m. - 11:15 p.m.

The Manager noted that the meeting was informative and that the broadcast should be of interest to those who were not able to attend the public forum.

2. The Department of Community Services will conduct an open meeting at the Lincoln Park Community Center Tuesday night from 7:30 p.m. to 9:30 p.m. to discuss plans for a health clinic. Results of the meeting will be used to prepare the scope of work for health clinic services which will be funded through a community development block grant.

3. The Montgomery County Human Relations Commission Housing Committee will conduct a workshop on fair housing at 2:00 p.m., Tuesday, February 24, 1987, in the Executive Office Building on the second floor.

4. The Montgomery County Council and Montgomery County Executives will conduct a colloquium on discrimination in rental housing this Thursday, February 26, 1987, from 4:00 p.m. to 8:30 p.m. in the Council Office Building.

5. The City has been working with the District Court regarding its move to Rockville. Areas of specific interest include providing signs directing people to the District Court which are currently missing. Last week, however, Mr. Robinson reported that the installation of the signs was completed. In addition, the Washington Street traffic signals approved by the Mayor and Council will help in handling both the traffic and the pedestrians going to the District Court. It is expected that the project will be completed during the next several weeks.

Re: Mayor's Report

Mayor Van Grack reported the following:

1. A tribute was held for former County Executive Charles Gilchrist on Friday, February 20, 1987. Mayor Van Grack noted that Mr. Gilchrist is a city

Mtg. No. 9-87

-3-

February 23, 1987

resident and that as a city we should be very proud of what he has accomplished. In addition, he stated that the tribute to Mr. Gilchrist was a wonderful event.

2. Mayor Van Grack received an invitation from the U.S. Conference of Mayors to attend a conference titled, "Winning the War on Drugs". He has been asked to be on a panel at the conference on drug education programs.

3. The Mayor and Council will be meeting with the Chairpersons of City's Boards and Commissions on February 25, 1987. The Mayor reported that we will be working to bring these leaders together and provide them with the City's trends and conditions briefing presented to the Mayor and Council last November.

4. Cub Scout Pack 1343 was introduced as being in attendance at the meeting. The Mayor noted that the Scouts were working towards their Citizenship Merit Badge.

5. Mayor Van Grack presented Pat Rager with a certificate of appreciation for her seven years of work as Assistant City Clerk with the City of Rockville. He noted that the City has been well served by Ms. Rager.

Re: Proclamation: March as
"Youth Leadership Month"

On a motion from Councilman Duncan, duly seconded, and unanimously passed, the Mayor and Council approved a proclamation declaring March 1987 as Youth Leadership Month.

Re: Appointments

Mayor Van Grack made the following appointments which were confirmed by the Council:

Planning Commission: Jeryl Gegan - 5 year term

Board of Appeals: David Melnick - 3 year term
James Moone - filling unexpired term of Jeryl Gegan (1 Year)

February 23, 1987

Mtg. No. 9-87

-4-

Human Rights Commission: Frances Vaughan - 4 year term

Recreation and Parks Board: Robert Taylor - reappointed to 2 year term

Economic Development Council: Craig Falk - 2 year term

Re: Citizen's Forum

Councilman Duncan asked how many citizens were present to speak to Item 10 on the agenda regarding a state grant to Stepping Stones Shelter for the purchase of the townhouse at 1022 Copperstone Court. He stated that he had spoken with the City Attorney regarding the extension of special exception granted by the City to Stepping Stones. Councilman Hartogensis stated he had also spoken with Councilman Coyle and Mayor Van Grack regarding the item, and he asked that the City Attorney prepare a formal written opinion on the issue. He noted that there are other groups such as Stepping Stones who may come into the City and wish to create facilities similar to that at Stepping Stones, and he suggested that the Mayor and Council may want to create a separate zone for such services.

Councilman Duncan agreed with this approach and stated that he would like to defer consideration of the item. Councilman Abrams supported the suggestion. Councilman Coyle asked for an analysis of the number and location of facilities in the City that have special exceptions. He stated he is concerned about licensing and the appropriateness of the location. He felt that the City has a role to play to assure that requests for special exceptions fit into the community in which they would like to be located. In addition, he stated that while the City has also been open to meet the needs of all citizens, he would like to avoid the negative impact of a facility as much as possible.

Mayor Van Grack concluded that there was consensus on the part of the Mayor and Council to defer Agenda Item 10 and that no action would be taken on it.

Mtg. No. 9-87

-5-

February 23, 1987

evening. He provided a brief chronology of the City's consideration of the issue citing a memorandum explaining the details of the proposal by Stepping Stones dated January 15, 1987. In addition, he noted that the item was placed on the agenda for January 26, 1987; however, the meeting was canceled due to snow. The item was deferred until the meeting of February 23, 1987, so that staff from Stepping Stones would be able to notify the neighborhood of their intent to purchase the townhouse. Mayor Van Grack noted that there were efforts to notify affected individuals both from a letter sent out by the City and through letters and calls received by the Mayor and Council. He concluded that he looks forward to hearing from those present this evening to speak on the issue.

The speakers follow:

1. Dick Arkin, Chairman of the Planning Commission, stated unanimous support from the Planning Commission for the Stepping Stones project. However, he noted that he shares the concerns expressed by the Mayor and Council. He is pleased to hear that the issue has been deferred for study and stated that the Planning Commission would like to participate in the process. He, too, has concerns about the impact of too many institutional uses in any given neighborhood.

2. Eleanor Northway, 903 Leverton Road, President of Hungerford Stone Ridge Citizens Association, relayed to the Mayor and Council that the Civic Association had invited Stepping Stones to a meeting of the association on February 18, 1987, for the purpose of presenting information on the proposed shelter. Following the presentation, members of the association voted to oppose the townhouse project. She stated, however, that the association still supports the existing Stepping Stones facilities. It is the expansion of the facility that they oppose.

3. Marquerite Hughes read a letter from Tony Kalica, 732 Harrington Road, Rockville. Mr. Kalica is the former president of the Hungerford Stone Ridge Civic Association. His letter expressed opposition to the expansion of Stepping Stones concluding that should Stepping Stones expand its facilities, it be done at a site other than in the direct Hungerford Stone Ridge neighborhood.

4. Albert P. Raynor, President, St. Mary's Parish Council, addressed the Mayor and Council regarding the proposed construction of an office building on the Hershey site at the corner of Church Street and Hungerford Drive. He stated that the Parish Council believes that the traffic generated by the occupants and visitors to the building will exacerbate the difficult traffic situation at the Church Street/Hungerford Drive juncture. He referred to a letter submitted to the Mayor and Council dated February 12, 1987, that detailed the specific concerns of St. Mary's Church regarding the proposed office building and asked that the letter be made part of the record.

Councilman Hartogensis expressed appreciation to Mr. Raynor for his concerns. He noted, however, that the Planning Commission makes decisions on use permits, and the Mayor and Council do not have the authority to overturn these decisions. He suggested that an appropriate avenue of appeal would be for the church to address its concerns to the City's Board of Appeals.

Councilman Coyle made reference to a memorandum included in the City Manager's February 20, 1987, various items memorandum which cited a traffic analysis standard methodology that was used by the Planning Commission in making its decision on the use permit. He stated that the Mayor and Council has not seen this impact analysis yet. City Manager Robinson noted that the methodology used is a proposed methodology and that it would be brought for consideration by the Mayor and Council. In addition, he noted that the Planning Commission

Mtg. No. 9-87

-7-

February 23, 1987

approved the proposed office building but also imposed a number of conditions to be satisfied by the development. He also noted that the Planning Commission stated that it is desirable for the Traffic and Transportation Commission to review the traffic in the immediate area with a view towards improving those impacts which are created by the public activities.

In response, Councilman Duncan requested that the Traffic and Transportation Commission conduct a review of the traffic impact of the development in the area. Councilman Coyle noted that there is a need for the City to look at all small remaining parcels of land that are zoned to allow significant development with respect to the City's Master Plan. Councilman Abrams cited a conflict with the proximity of this particular parcel of land to the Metro Station and the rest of the neighborhood. He feels that the Mayor and Council may identify parcels of critical concern as part of a review of the Master Plan.

In response to a concern expressed by Councilman Coyle regarding a parking reduction allowed for the development, Councilman Duncan noted that the retail space in the building is provided primarily for the building itself, thus, it would not generate additional parking requirements; and therefore, the parking reduction could be made. City Manager Robinson concurred with Councilman Duncan's assessment noting that the placement of retail businesses in the office building will indeed reduce traffic generated by employees of the office building who may leave during lunch time to go to retail establishments in a different location.

5. Jim Daily, 1101 Branford Avenue, Silver Spring, representing Chambers Enterprises, Inc., addressed the Stepping Stones issue. He provided a petition signed by residents of Jefferson Square noting that there was only one who signed the petition that was in support of the expansion of the Stepping

Stones facility. He noted that residents of Jefferson Square are concerned about increased traffic of the expansion as well as its impact on the neighborhood.

6. Maria Millian, 1034 Copperstone Court, spoke regarding the notification from Stepping Stones of the proposed purchase of the townhouse. She stated that Stepping Stones left a flyer in the doors of the homes in that area regarding an open house that they would be having. She stated the flyer included no mention of the proposed expansion.

7. Jeffrey Daniels, 712 South Stonestreet, advised the Mayor and Council of another halfway house that might be established on South Stonestreet. He stated he learned of it from the current owner of the house, not from the Baptist Home of Bethesda, Maryland, who would be establishing the halfway house. He stated that the Baptist Home has a contract for the purchase of the house in which the shelter would be located. He relayed his concerns about the proposed halfway house with respect to the devaluation of property in the area, the establishment of a precedent for halfway houses in that neighborhood, the inappropriateness of that particular house for such a facility, and the interpretation of the residential zone with respect to the number of unrelated occupants in that particular house. He stated that there is support from the East Rockville Citizens Association for opposition to the halfway house.

Councilman Abrams requested a status report on where the Baptist Home is in the process of acquiring the property and establishing the halfway house. He asked that once the report is available that it be sent to Mr. Daniels. Mr. Robinson noted that to date nothing is on file with the City regarding the halfway house. Mr. Daniels noted, however, that the Baptist Home has applied for licensing through the Montgomery County Health Department.

City Attorney Paul Glasgow suggested that an opinion be prepared for both projects, noting that while the Baptist Home halfway house is similar to the townhouse proposed by Stepping Stones there are differences in the two cases. City Manager Robinson concurred that there ought to be a review of the concept of group homes with respect to zoning. Councilman Abrams also suggested that the City establish a procedure with the Montgomery County Health Department so that the City would be notified of similar circumstances.

8. Steve Gibby, 1077 Copperstone Court, stated that he is a new resident of the area; however, he supports Stepping Stones as it is and is against further expansion of the facilities in the area. He stated he also attended the open house by Stepping Stones and noted that staff was hesitant to discuss the expansion. He said he spoke with the director, and she stated she did not know of the meeting this evening and did not know of the City's requirement that they provide notice to the residents regarding the proposed expansion. According to the Director of Stepping Stones, the purchase of the house was completed in 1986.

9. Joe Zetts, 121 Ritchie Parkway, concurred with the opposition expressed by others of the expansion of Stepping Stones. With respect to the item on fees for recreation services in the City, Mr. Zetts stated that he supports the current fees and that the City should be proud of its facilities for residents. He stated that he is a member of the Swim Center, the Golf Course, and the Senior Center. He suggested that the fees for Senior Citizens be kept at the current level.

10. Jerry Leszkiewicz, 813 Woodley Drive, President of Woodley Gardens Association, addressed the Mayor and Council regarding the widening of I-270. He stated his concerns about the State Highway Administration's activities

regarding noise barriers and that the involvement of the Mayor and Council may be needed if the City does not get a favorable response from the State Highway Administration. He stated that none of the issues agreed upon in June 1986 were included in the final plan; however, the Planning Staff had responded appropriately to requests from the State Highway Administration. He also noted that during the past three years the width of the roadway has gained about 45 feet from what was originally proposed. In response to a question from Councilman Abrams regarding the affect of this information on the pending lawsuit, Mr. Leszkiewicz responded that it is possible that there may be an effect given that the widening now exceeds what one could argue as "no significant impact."

Councilman Coyle suggested that the City make contact with Hal Kassoff at the State expressing these concerns. Mayor Van Grack stated his feeling that staff will continue to monitor the issue. Finally, Mr. Leszkiewicz stated that while it was the City's understanding that the noise barriers would be constructed before the heavy construction began, there is nothing in the drawings to state that this will indeed take place.

11. Erin Owens, 1080 Copperstone Court, who expressed opposition to the expansion of Stepping Stones in the neighborhood. Ms. Owens stated that no one in the past was notified when the facility was expanded from a capacity of 15 to 25 residents. In addition, she relayed several incidents that had occurred in the neighborhood with Stepping Stones clients and the unresponsiveness to the concerns of the community by the staff. She stated that staff of the facility has not proven its ability to handle the current number of clients and wants to know if there is any way to stop the project.

Mtg. No. 9-87

-11-

February 23, 1987

Councilman Coyle stated he feels the Stepping Stones' board members are reasonable people who want to work with the community. He stated there is a need for them to come to the City for a review of the project. Mayor Van Grack concurred that there needs to be close cooperation between the shelter and the neighborhood in order for its success. He relayed that he hopes those from Stepping Stones who are present this evening hear the concerns from the neighborhood and respond.

11. Virginia Rabenhorst, Board Member of Stepping Stones, described what the proposed housing is intended to be: transitional housing. She stated that Stepping Stones chose a location in Copperstone Court because of its convenience to the current facility's staff. Residents of the transitional housing would have to abide by the rules of the facility, thus, compelling them to be good neighbors. In response to a number of questions from Councilman Duncan, Ms. Rabenhorst stated that residents would come from the larger facility known as "the big white house" and that it is expected that there would be up to two single-parent families. Some residents would be employed, however, others would be participating in job training. Counseling by existing staff would be done at either the townhouse or the "big white house." She relayed that the attractiveness of providing a halfway house is that there are limits on the amount of time that any client can stay at the shelter and that this would provide a good next step for some clients.

Councilman Hartogensis stated that there was a great deal of community support several years ago for Stepping Stones and that he is concerned over statements heard this evening regarding the operation of the facility. He asked Ms. Rabenhorst if there are any changes planned in the operation of the facility. In response, she stated that the board is not familiar with the

problems relayed to the Mayor and Council this evening. In response to a question from Councilman Coyle regarding the lack of contact with the community, Ms. Rabenhorst stated that it is an oversight on their part.

12. Maureen McVitty, former President of the Stepping Stones board, stated that the board had proposed to the Hungerford/Stoneridge Association that a small communications group be established to meet monthly. A member from the association would sit on the board. She said she feels that Stepping Stones cannot exist without support from the neighborhood and that the facility will work hard to re-establish communication with residents of the area.

13. Helayne Baker, Executive Director of Stepping Stones, affirmed that she wants to establish better communication with the community and addressed some of the concerns raised by those who spoke earlier. In response to a question from Councilman Abrams, she said she is not sure whether or not Stepping Stones currently owns the townhouse and that she would have to check with the realtor. She said the townhouse is not used currently by Stepping Stones and use for the house is not planned until City approval has been obtained.

14. Paul Haskins, 708 South Stonestreet, expressed concern about the issue of grandfathering with respect to Stepping Stones and its special exception. He stated that the closing date for purchasing the townhouse is set for April 1, 1987. In response to a question from Councilman Coyle, City Attorney Paul Glasgow stated that he would get an opinion back to the Mayor and Council as soon as possible; no later than March 9, 1987.

15. Mike Lauffer, 1079 Copperstone Court, reaffirmed concerns expressed by others on the issue and stated that there has to be a contact person on-site at the Stepping Stones facility to respond to problems immediately when they occur.

16. Kathy Serra, member of Board of Directors of Stepping Stones, addressed those present from Copperstone Court stating that she understands their concerns. However, she noted that similar problems happen in every neighborhood and that the board and staff at Stepping Stones will try to have better communications with the neighborhood. She said it never occur to those at Stepping Stones that the expansion of the facility would be a problem.

17. Mary Bremner addressed the Mayor and Council regarding the Lord's Table, a soup kitchen in Gaithersburg. Ms. Bremner commended the staff at the soup kitchen for its fine efforts.

18. Bill Myer, 408 Leverton, congratulated staff on its snow plowing efforts and asked that an effort to enforce the ordinance for cleaning sidewalks be made. He noted that the County does a poor job of clearing the sidewalks along Monroe Street and suggested that the City begin with the County and Monroe Street in terms of enforcement and then speak to the business community.

19. Jean Zdroll, a volunteer at Stepping Stones, addressed the Mayor and Council regarding the types of people that come to Stepping Stones. She noted that there is a need for longer term care and that those who would go to the transitional housing, the townhouse, are good people and would be good neighbors.

20. Mansfield Kaseman, 704 Carter Road, commended the Mayor and Council for spending the time this evening on this issue at Citizens' Forum. He suggested that it might have been done in small groups before the meeting. In addition, he noted that the staff at Stepping Stones is crisis-oriented, and therefore; it is easy to take the neighborhood for granted. However, he stated his belief that the problems between Stepping Stones and the neighborhood can be worked out. Mayor Van Grack concluded that although the item has been taken off of the

agenda for the evening it was beneficial to have the dialogue during Citizens' Forum.

At this point, the Mayor and Council took a break at 10:17 p.m. and reconvened at 10:37 p.m.

Re: Public Hearing:
Residential Townhouse
Development, RTH-7-86,
Impara & Wire, Inc.,
Applicant (Veirs Mill Road
at First Street)

The Mayor and Council conducted a public hearing on the residential townhouse development, RTH-6-87, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other person wishing to be heard, the Mayor declared the hearing closed with the record to be held open for two weeks until March 9, 1987.

Re: Public Hearing: Text
Amendment Application, T-
82-86, Rockville Planning
Commission, Applicant, to
delete medical clinics as
an allowable use under
Article 3, Section 3-201;
and Article, Section 4-
214.

The Mayor and Council conducted a public hearing on text amendment application, T-82-86, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other person wishing to be heard, the Mayor declared the hearing closed with the record to be held open for two weeks until March 9, 1987.

Re: Consent Agenda

At the request of Councilman Duncan, Item K, Introduction of Ordinance to Enact a new Chapter 26A titled "Rental Housing Data Collection and Voluntary Rent Stabilization Guidelines," was removed from the consent agenda.

Mtg. No. 9-87

-15-

February 23, 1987

On a motion from Councilman Abrams, duly seconded, and unanimously passed, the consent agenda was approved with the exception of Item K.

Re: Award of Gasoline Contract
per Metropolitan Council
of Government Bid No.
70149

The City currently enjoys the benefits from mass purchasing through the Metropolitan Council of Governments Requirements Contract for unleaded and regular gasoline. This bid #5136 was awarded for one year (effective date 3/1/85) with an option for one year.

C.O.G. received 14 bids to fulfill this requirements contract for one year beginning March 8, 1987, with a renewal option for one additional year on an escalating/de-escalating basis for providing regular and unleaded fuel.

The low bid of J.E. Meintzer & Sons, Inc., was unanimously accepted and awarded by the Council of Governments Purchasing Officers Fuel Sub-committee. The City of Rockville is included in Zone 2 for annual usage of 80,000 gallons of unleaded gasoline and 48,000 gallons of regular gasoline.

The bid price of 0.4746 per gallon of unleaded fuel and 0.4835 per gallon of regular fuel compares with the previous bid price of 0.7278 per gallon of unleaded and 0.6967 per gallon of regular fuel.

There is \$186,500 budgeted for purchase of fuel and oil for FY 87 in the General and self-supporting funds.

I recommend the acceptance of the low bid of J.E. Meintzer and Sons, Inc., in the amounts specified under the escalating/de-escalating basis for the one-year period and the option period be accepted subsequent to the approval of the Director of Public Works upon review.

Mtg. No. 9-87

-16-

February 23, 1987

I recommend this be placed on the consent agenda for the Mayor and Council meeting of February 23, 1987.

Re: Award of Bid No. 43-87:
Vehicle Replacement (Dump
Truck)

As part of our Vehicle Replacement Program, Bid #43-87 was opened February 3, 1987, at 2:30 p.m. The purpose of this bid is to provide for the replacement of one 1980 Ford dump truck.

There were 21 proposals sent out, and we received 3 responses:

Vendor	Model	Cost
1. Beltway Ford Truck Sales 8300 Ardwick-Ardmore Road Landover, MD 20785	F-8000	\$34,272.00
2. District International 18970 Laytonsville Road Gaithersburg, MD 20879	International #1954	\$36,343.25
3. Davis Buick - G.M.C. Truck 1115 Baltimore Boulevard Westminister, MD 21157	GMC, J-8	\$37,071.00
Budget Provision	\$37,000.00	

The last purchase of similar units received in 1985 at a cost of \$33,094.00 each.

I recommend that we award the contract to Beltway Ford Truck Sales for supplying the 35,000 G.V.W. Diesel dump truck for the low bid price of \$34,272.00.

I recommend this be placed on the consent calendar for the Mayor and Council meeting of February 23, 1987.

Mtg. No. 9-87

-17-

February 23, 1987

Re: Award of Bid No. 9872
 (Council of Governments
 Cooperative Bid): Tires
 and Tubes

The City purchases tires and tubes which are inventoried in the City's warehouse for issuance and change-out on an as-needed basis. The funds are in the Vehicle Maintenance and Repair, and Equipment Maintenance and Repair Acts of the various departments. The tires and tubes are used on all City vehicles. A conservative number of each is maintained at the warehouse and additional tires and tubes are ordered as a pre-determined minimum is reached.

Prince George's County was the lead jurisdiction for the Council of Government's Bid 9872. Bids were received from five vendors.

Awards for the City's estimated requirements for each of the different types of tire were:

The Tire Center	\$9,247.71
Goodyear Tire & Rubber Co.	\$4,556.98
Merchant's Tire	\$2,488.24
Friends Tire & Fleet	\$1,361.58
D & G Commercial Tire	\$1,169.72

The Invitation for Bid provided an option for two (2) additional twelve (12) month extension renewals by mutual consent of the contracting parties at the bid prices. Individual contracts will be completed with each company listed. The total potential values of the contracts inclusive of the option are:

The Tire Center	\$27,743.13
Goodyear Tire & Rubber Co.	\$13,670.94
Merchant's Tire	\$ 7,464.72
Friends Tire & Fleet	\$ 4,084.74
D & G Commercial Tire	\$ 3,509.16

It is recommended that an award be made to each of the five companies for the initial year and the option for two additional 12 month terms be retained. It is further recommended that the Director of Finance be authorized to exercise

Mtg. No. 9-87

-18-

February 23, 1987

the option for each of the two additional 12 month periods after appropriate review.

Re: Award of Contract(s) on
RFP No. 53-87: Computer
and Ancillary Equipment
Lease and Lease/Purchase
or Outright Purchase.

On December 15, 1986, the Mayor and Council passed resolution 33-86 which authorized the preparation and release of a request for proposals for lease-purchase financing of an IBM 9370 computer and ancillary equipment and for an interim lease of an IBM 4300 series computer. A request for proposals was released on January 30, 1987 and mailed to 34 potential offerors. A pre-bid conference was held on February 9, 1987, and proposals were due on February 17, 1987.

The request for proposals stated that it was the City's clear preference to award all portions of the contract to a single offeror, but that the City reserved the right to split the award if it could receive more favorable terms by doing so. The request for proposals solicited separate quotes on four groups of items:

1. Section 1 - Lease of an IBM 4331 series computer, console, and disc;
2. Section 2a - Lease-purchase or outright purchase of permanent peripherals and systems software;
3. Section 2b - Lease-purchase or outright purchase of Microcomputer Systems and Software; and
4. Section 3 - Lease-purchase or outright purchase of permanent equipment (IBM 9370, console, disc, and modems).

Firm quotes were requested for Sections 1, 2a, and 2b. The equipment specified in Section 3 has a tentative delivery date of September 1987. Because interest rates are volatile, offerors were not asked to commit to a firm rate of interest for the lease-purchase of this equipment. They were instead asked to quote a mark-up/mark-down relative to the prevailing prime rate at the time of equipment delivery.

Mtg. No. 9-87

-19-

February 23, 1987

Proposals were received from ten offerors as shown.

Given the responses received, the City can satisfy its objective of awarding all sections to a single offeror without significantly increasing direct costs above the amount that it would have to pay if it awarded each section separately. The indirect costs of having to administer contracts with more than one company would more than outweigh the slight increase in direct costs. The recommendation to award to a single offeror is more fully discussed later.

Offeror	Lease Cost Section 1	Lease-Purchase Rate-Section 2a	Lease-Purchase Rate-Section 2b	Lease-Purchase Rate-Section 3
FLA Leasing, Inc.	\$4195/mo. All inclusive	9.47%	10.96%	1.97% above prime
Leasing Technologies Inc.	\$4,260/mo. Plus \$9,000 One-time costs	9.25%	9.25%	9.25%* (nonresponsive)
Carlyn Computer Systems, Inc.	\$8,055/mo Plus \$3,561 One-time costs	8.50%	8.50%	1.00% above prime
Municipal Leasing Corp.	\$10,100/mo.	8.70%	8.70%	1.20% above prime
Security Pacific Merchant Banking Group	No bid	6.84%	7.59%	6.84%* (nonresponsive)
Maryland National Tax Exempt Finance Division	No bid	6.95% (nonresponsive)	6.79% (nonresponsive)	99.713% of 5 yr treas.rates** (nonresponsive)
First Union Leasing Group	No bid	7.18%	6.84%	95.7% of 1 yr C.D.'s** (nonresponsive)
Citicorp Industrial Credit, Inc.	No bid	7.38%	7.75%	7.38%** (nonresponsive)
IBM Credit Corporation	No bid	9.50%	9.50%	9.50%* (nonresponsive)

Mtg. No. 9-87

-20-

February 23, 1987

National	Alternate bids:			
Computer	\$2,683/mo.	6.625%	6.375%	1.07% above
Equipment	Plus \$3,700			prime
Corporation	One-time costs			
	or;			
	\$3,973/mo.			
	Plus \$3,700			
	One-time costs			

As the asterisks in the far right-hand column indicate, many of the offerors proposed financing for the equipment in Section 3 on a basis other than that which was requested. Single asterisks usually indicate that the offeror proposes that the City borrow the money within the next 30-45 days (in advance of the equipment arrival) rather than entering into a lease-purchase agreement only upon delivery of the equipment. Double asterisks indicate that the offeror substituted another interest index for the one that was requested.

Five proposals were received for Section 1, the lease of the interim equipment. For a lease term of less than five months, the quote provided by FLA Leasing Inc., would be the lowest. For a lease term of five months or more, the lower of the two quotes provided by National Equipment Corporation would be the lowest. The City anticipates using the interim equipment for approximately five months; however, the actual time may be either less or more because the delivery date of the permanent equipment is uncertain. Fortunately, the City has been able to resolve the issue of which firm to recommend for award for this Section in another manner. In answer to an inquiry, FLA Leasing stipulated that they would not be interested in providing the interim equipment unless they were also awarded the lease-purchase contracts. Inasmuch as FLA's rates for the lease-purchase contracts are the highest received, their unwillingness to contract for Section 1 alone eliminates them from consideration. In contrast, National Computer Equipment Corporation had the lowest bids on Sections 2a and 2b of the

Mtg. No. 9-87

-21-

February 23, 1987

lease-purchase contracts, and the rate they quoted on Section 3 is second low-bid. The delivery time for the interim equipment quoted by National computer Equipment Corporation is acceptable (15-30 days).

Of the ten proposals received for Sections 2a and 2b, two proposals were non-responsive in that they called for transfer of the equipment at the end of the lease-purchase term rather than at the beginning as was specified in the proposal. These two offerors (Leasing Technologies Inc. and Maryland National Tax Exempt Finance Division) are, therefore, eliminated from consideration. As was mentioned in the paragraph above the low-bidder is National Computer Equipment Corporation.

Of the ten proposals received for Section 3, six were non-responsive in that they failed to quote a future interest rate on the basis specified. These six offerors (Leasing Technologies Inc., Security Pacific Merchant Banking Group, Maryland National Tax Exempt Finance Division, First Union Leasing Group, Citicorp Industrial Credit, Inc., and IBM Credit Corporation) are, therefore, eliminated from consideration. Of the four remaining offerors, Carlyn Computer Systems, Inc., is low-bidder (at 1.00% above prime). However, National Computer Equipment Corporation is second low-bidder (at 1.07% above prime) at an interest rate only .07% higher than that quoted by the low-bidder. Given the City's clearly stated preference for awarding all sections to a single offeror and the relatively small difference in quoted rates between the low-bidder and second low-bidder, it is recommended that this section be awarded to National Computer Equipment Corporation as well. Based upon the best information available to us at the present time, the difference in the quoted rates would amount to less than \$700 per year over the five year period of the lease-purchase agreement.

Mtg. No. 9-87

-22-

February 23, 1987

It is, therefore, recommended that the Mayor and Council authorize the City Manager to enter into a contract(s) with National Computer Equipment Corporation for a short-term lease of an IBM 4331 series computer console, and disc; for the lease-purchase of an IBM 9370 computer and related components; and for the lease-purchase of microcomputer systems and software pursuant to Request for Proposals #53-87.

Re: On-Site Storm Water
Management Waiver:
Wootton High School Gym
Addition, 2100 W. Ritchie
Parkway, U-358-86, WR #8-
86

The 27.5 acre site of Wootton High School is in the Watts Branch drainage area. The addition of a gymnasium to the school is planned.

The construction of the gymnasium will add an additional 0.385 acres of imperviousness to the site. On-site methods of SWM were considered. However, the presence of rock near the existing ground surface makes on-site SWM methods impractical.

Runoff from the additional imperviousness will be conveyed by enclosed storm drains to Watts Branch. The proposed Wootton Mill SWM facility will be able to provide compensating storage for the additional runoff from the site.

I recommend that a waiver be granted and that a contribution of \$7,700 (0.385 acres at \$20,000 per impervious acre) be accepted towards the City's off-site SWM program.

Re: On-Site Storm Water
Management Waiver: Lone
Oak Day Care Center, 1010
Grandin Avenue, S-129-86,
WR #14-87

This 5.13 acre parcel of land is located in the Rock Creek Drainage Area. The site is the location of the former Lone Oak Elementary School. Montgomery

Mtg. No. 9-87

-23-

February 23, 1987

County is planning to convert part of the school to a Day Care Center.

Site modifications include construction of a driveway and sidewalk. The area of new imperviousness planned is 0.128 acres. An on-site SWM facility is possible. However, it is not recommended in this instance. The structure would have to be extremely small and our experience indicates that small structures are more prone to maintenance problems.

Runoff from the new impervious area enters the storm drain system at an inlet on Grandin Avenue and is conveyed by an enclosed storm drain system to Calvin Park. The proposed SWM facility at Calvin Park will provide storage for the increased runoff.

I recommend that a waiver be granted and that a contribution of \$2,560 (0.128 impervious acres at \$20,000 per acre) be accepted for the City off-site SWM program.

Re: On-Site Storm Water
Management Waiver: Garage
and Driveway Addition, 107
West Argyle Street, WR
#12-87

This 0.88 acre lot located in the Cabin John Creek drainage area is improved by a detached house. The property owner plans to add a garage to the house and construct a driveway with a turn around.

The imperviousness of the site will be increased by 2,361 S.F. On-site methods of storm water management are not recommended for individual single family home lots because the structure required would be small. Experience indicates that small SWM facilities are more prone to maintenance problems. In addition, the facility would have to be located close to the house which would create a potential for water damage to the basement.

The runoff from the site enters a storm drain inlet along Arglye Street and is conveyed by enclosed storm drain until it enters Cabin John Creek at the lake in New Mark Commons. The proposed SWM facility at Rockville Heights which is currently under design will provide compensating storage for the additional runoff from this site.

Therefore, I recommend that a waiver be granted and that a contribution of \$1,080 (0.054 acres @ \$20,000 per impervious acre) be accepted for the City's off-site SWM program.

Re: On-Site Storm Water
Management Waiver:
Chestnut Lodge Hospital,
500 West Montgomery
Avenue, U-362-86, WR #6-87

This 59 acre parcel of land is located between Montgomery Avenue, I-270 and Great Falls Road, in the Watts Branch drainage area. The Hospital plans to add four additional buildings to house patients.

The additional buildings will add 0.748 acres of imperviousness to the site. On-site Storm Water Management methods were considered but were determined to be impractical. The soils in the area where the buildings are to be constructed are not suitable for infiltration. Enlargement and modification of an existing SWM facility on the site was considered but the modification would involve a major reconstruction of the dam embankment which is not recommended by City staff.

The runoff from this site is split. Part of the runoff travels by sheet flow and open swales until it enters a tributary of Watts Branch northwest of Julius West Middle School. The remaining runoff travels by sheet flow and open swales until it enters a tributary of Watts Branch in Bullards Park. The two

Mtg. No. 9-87

-25-

February 23, 1987

tributaries meet at the site of the proposed Rockmead SWM Facility. The Rockmead facility will provide both storage and water quality for the additional runoff.

I recommend that a waiver be granted and that a contribution of \$14,960 (0.748 acres at \$20,000 per acre) be accepted for the City's off-site SWM program.

Re: On-Site Storm Water
Management Waiver: 322
and 326 Howard Avenue, WR
#13-87

These two vacant lots containing approximately a total of 0.801 acres of land are in the Rock Creek Drainage area. They are located in close proximity to each other on the north side of Howard Avenue approximately 700 feet east of Stonestreet Avenue. The developer is going to build a single family dwelling on each lot.

This development will cause an additional 0.130 acres of imperviousness. On-site SWM Facilities are not recommended for individual single family homes because of the space limitations on the lots and the potential for water problems, such as wet basements, caused by placing the SWM facility too close to the house.

The runoff from these lots is carried by gutter flow on Howard Avenue approximately 850 feet to an existing storm drain inlet. The runoff is then conveyed by enclosed storm drains to Maryvale Park where it enters Rock Creek. The additional runoff will be controlled downstream at the proposed Maryvale SWM facility currently under design. I recommend that a waiver be granted and that a contribution of \$2,600 (0.130 impervious acres at \$20,000) be accepted towards the City's off-site SWM program.

Mtg. No. 9-87

-26-

February 23, 1987

Re: Introduction of Ordinance
for Mid-Year
Appropriations

On a motion from Councilman Abrams, there was introduced upon the table, an ordinance for mid-year appropriations, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance
to Enact a new Chapter 26A
titled "Rental Housing
Data Collection and
Voluntary Rent
Stabilization Guidelines"

Councilman Duncan asked a question regarding the guideline set in Section 1-102, Item A. He feels that the guideline should be that established by the County and requested that language indicating that whatever the percentage used by the County for the guideline be included in the ordinance. He expressed concern that the trigger figure itself not be in the ordinance but that rather the trigger figure's relationship to the consumer price index (CPI) be included. Mayor Van Grack asked the City Attorney to modify the ordinance to reflect this language, and Councilman Duncan moved that the ordinance be introduced.

Re: Decision and Instructions
to Staff on Annexation X-
100-86, Maung Tin Hlaing
and Mya New Hlaing,
Applicants, (Veirs Drive
and North Glen Road)

On a motion from Councilman Abrams, duly seconded, and unanimously passed, staff was directed to prepare the necessary documentation to approve the annexation. Councilman Hartogensis welcomed Mr. and Mrs. Hlaing to the City as new residents.

Mtg. No. 9-87

-27-

February 23, 1987

Re: Resolution to Approve the
Exploratory Application
for Residential Townhouse
Development, RTH-6-86,
Joseph A. Lynott, Attorney
for EBH Enterprises, Ltd.,
Applicant (Martins Lane
and North Street)

Resolution No. 8-87

On a motion of Councilman Hartogensis, duly seconded, and unanimously passed, the resolution to approve the application was approved. Councilman Abrams thanked staff for the additional information on the Alexandria parking and density program. He stated there does not appear to be support from the Mayor and Council to consider this issue now. However, he encouraged consideration in the future when the Mayor and Council dealt with the affordable housing issue.

Re: Resolution to Approve
Construction Loan
Financing by the State of
Maryland's Community
Development Administration
for the Purchase of 1022
Copperstone Court by
Stepping Stones Shelter,
Inc.

This resolution was deferred by the Mayor and Council.

Re: Fee Recommendation for
Specialized Facilities:
Swim Center, Golf Course,
Senior Center,
Theatre/Mansion.

Councilman Abrams moved that this item be deferred for consideration to next meeting; however, it was the consensus of the Mayor and Council to consider this issue now. City Manager Richard Robinson noted that the staff was able to establish an excellent working relationship with the advisory bodies regarding these recreation facilities to gain their support for changes in fees in each

case. He noted that this is a different situation than in past years. Councilman Coyle suggested that fees at the Senior Center not be raised. In response, Greg Bayor, Director of the Department of Recreation and Parks, stated that the membership fee will not be raised; however, the rental fee for using the facility would be raised. In addition, he noted that the City offers a 20% discount at the Swim Center and the Golf Course for Senior Citizens and that seniors pay 50 cents a round at the golf course.

Councilman Coyle raised a question regarding Swim Center revenues. Referring to the memorandum from Jeannie Tippet, Director of the Swim Center, he stated that it was his understanding that the waterslide would be a self-supporting operation through the receipt of additional revenues from those using the slide. Greg Bayor responded that the City looked into a number of ways to charge a specific fee for use of the slide only and that none of the ways that are being used around the country today seemed viable for the operation in Rockville. Instead, the City expects that there will be additional membership at the pool that will offset the cost of the slide itself as well as the increase in membership fee for the Center. Councilman Duncan expressed his support for recovering the cost of the slide in this way, citing that it will probably mean shorter lines for those who want to use the slide. He further stated that he felt this was the best fee proposal presentation made.

The fee schedule was approved with Councilman Coyle abstaining.

Re: Approval of Minutes

On a motion from Councilman Hartogensis, duly seconded, and unanimously passed, the minutes of Meeting 39-86 were approved as written.

Mtg. No. 9-87

-29-

February 23, 1987

Re: For Your Information

The Mayor and Council noted the following items of information:

1. Memo from Director of Recreation & Parks regarding City Livability Award.
2. Letter from John Menke acknowledging receipt of City's testimony concerning future of solid waste management in Montgomery County.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Various complaint and compliment letters with responses on city services
 - Mrs. B.A. Carver regarding refuse collection
 - John Moser regarding leaf collection
 - Mary Schielke regarding snow plowing
 - Christ Episcopal School regarding snow removal
 - Mike Subin, Montgomery County Council regarding snow removal on Research Boulevard
 - Marjory Siegel regarding snow plowing of cul de sac
 - K. B. Hamilton regarding snow removal on Research Boulevard
 - Irene Edwards regarding snow plowing
 - Richard Stolker regarding snow plowing
 - David Young regarding snow plowing
2. Letter from Marylin Praisner thanking city for its view on selection of Superintendent of Schools.

Councilman Coyle referred to a letter received from the Public Education Advisory Commission expressing concern over the upcounty Vo-tech Center. The letter stated that the City may lose programs at Richard Montgomery High School to the upcounty Vo-Tech Center and further stated that it is an issue of equity and education. The letter from the Commission asked the Mayor and Council to support a career technology center in Rockville. Councilman Abrams stated that this letter plus a letter from Fred Geldon suggests the need for an update from both Ruth Litzenberger and Fred on the respective boundary task forces to which they each have been appointed.

Re: New Business

1. Councilman Duncan advised the Mayor and Council that there are plans for a touring van with the Magna Carta and some other documents in celebration of the bicentennial of the Constitution. He stated that the State is looking for a site in Montgomery County and that two sites, the Judicial Center and the Mansion, are being considered. He asked that staff follow up on this to see if the site for the van in Montgomery County could be in Rockville.

2. In addition, Councilman Duncan raised the issue of the Boys and Girls Club at Lone Oak. City Manager Robinson stated that staff is checking to see if the site would be available for the City to purchase. Should this be the case, the City would then lease space back to the Boys and Girls Club. Mr. Robinson stated that he has asked staff to look into this because the Recreation Department is need of additional space for its programs and stated that staff will follow up and advise the Mayor and Council.

3. Councilman Duncan suggested a holiday basketball tournament be held for both boys and girls of the four Rockville high schools. Members of the Mayor and Council liked the idea and asked the City Manager to follow up on it.

4. Councilman Coyle asked when the election reform materials would be ready for Mayor and Council consideration. City Attorney Paul Glasgow stated that the materials would be ready for the meeting on March 2, 1987.

5. Councilman Coyle asked when a work session on the parking of campers and trailers would be set. City Manager Robinson stated that staff is still reviewing the issue.

Mtg. No. 9-87

-31-

February 23, 1987

Re: Executive Session

On a motion of Councilman Abrams, duly seconded, and unanimously passed, the meeting was closed at 11:55 p.m. for executive session to discuss a personnel matter.

Re: Adjournment

There being no further business to come before the Council in executive session the meeting was adjourned at 12:19 a.m. to convene again in general session on Monday, March 2, 1987, or at the call of the mayor.